

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ANDREW LERER,

Plaintiff,

- against -

THE SPRING VALLEY FIRE DEPARTMENT,
INC., *et al.*,

Defendants.
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ORDER

No. 19-CV-10714 (CS)

Seibel, J.

The Court received an email today from Defendants’ counsel Christopher F. Lyon (carbon copying Plaintiff, who is self-represented) indicating that Plaintiff intends to contact Defendants directly to discuss a settlement in this matter. According to Mr. Lyon, he has asked Plaintiff not to contact his clients but Plaintiff has refused, reasoning that Mr. Lyon represents the Incorporated Village of Spring Valley and not the Spring Valley Fire Department, Inc. – the entity named in Plaintiff’s complaints. Throughout this litigation, Defendants have consistently asserted that Plaintiff has incorrectly named the Incorporated Village of Spring Valley (which includes the fire department) as “The Spring Valley Fire Department, Inc.” (which Defendants contend is not a legal entity). (*See, e.g.*, Doc. 16-1 at 1.)

Despite what non-lawyers may think from movies or TV, legal decisions rarely turn on technicalities. The technicality that Plaintiff sued “The Spring Valley Fire Department, Inc.,” and Mr. Lyon is of the belief – and almost certainly correct, *see Lerer v. Canario*, No. 19-CV-4568, 2020 WL 1974212, at *1 (S.D.N.Y. Apr. 23, 2020) (case brought by Plaintiff against “the Incorporated Village of Spring Valley, incorrectly sued herein as the Spring Valley Fire Department, Inc.”) – that the proper defendant is “The Incorporated Village of Spring Valley,” is

a technicality that does not change the fact that the Defendants in this case are represented by Mr. Lyon. That means that Plaintiff cannot contact any Defendants, or any representative of any Defendants, about this lawsuit without the authorization of Mr. Lyon. Should Plaintiff have reason to believe that any Defendants in this case are being represented by Mr. Lyon against their will, Plaintiff may present that evidence to the Court.

SO ORDERED.

Dated: November 2, 2020
White Plains, New York



CATHY SEIBEL, U.S.D.J.